


MEMORANDUM

the charge against Michelle Danford was dismissed. Plaintiff alleges that he was a victim who was not allowed to testified against his assailant in violation of his constitutional rights.

To state a claim for § 1983 relief, the Plaintiff allege facts that the defendants, while acting under color of state law, deprived him of a right guaranteed by the Constitution or laws of the United States. As a matter of law, a private citizen lacks a judicially cognizable interest in the criminal prosecution of another individual or entity. Leeke v. Timmerman, 454 U.S. 83, 86 (1981); Linda R.S. v. Richard D., 410 U.S. 614, 619 (1973); Diamond v. Charles, 476 U.S. 54, 64-65 (1986). Thus, the Plaintiff's federal rights were not implicated for the Defendants alleged failure to transport Plaintiff to a hearing to testify against Michelle Danford and Plaintiffs facts to state a claim upon which relief can be granted in a § 1983 action.

Absent an actionable claim, the Court must dismiss his complaint *sua sponte*. 28 U.S.C. § 1915(e)(2). An appropriate Order is filed herewith.

ENTERED this the 4th day of December 2013.


WILLIAM J. HAYNES, JR.
Chief Judge
United States District Court